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Attorneys for Defendants SURERIDE CHARTER, INC. dba
SUN DIEGO CHARTER CO. (erroneously sued as "Sun Diego"),
RICH ILLES, and SCOTT MCLEOD (erroneously sued as "Scott McLoud")

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

Nour Eddine Elasali, Plaintiff, vs. Sun Diego, Rich Illes, Scott Mcloud, John Swets, Lori Ortiz, Lorenzo Ortiz, DOES 1 - 100, Defendants.	**CASE NO: C 07 cv02272 W (JMA)** **PROOF OF SERVICE** Date: June 30, 2008 Judge: Hon. Thomas J. Whelan Dept: 7 [NO ORAL ARGUMENT PER LOCAL RULE]

I am a citizen of the United States, over the age of eighteen years, and not a party to or interested in the above-entitled cause. I am an employee of THE WATKINS FIRM, APC and my business address is 4520 Executive Drive, Suite 105, San Diego, CA 92121. I am readily familiar with the business practice for collection and processing of correspondence. On this date, I served:

1. **DEFENDANTS SURERIDE CHARTER, INC. DBA SUN DIEGO CHARTER CO., RICH ILLES, AND SCOTT MCLEOD'S NOTICE OF MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION; OR IN THE ALTERNATIVE DUE TO A PARALLEL STATE ACTION PENDING, AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT;**

2. **DEFENDANTS' MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION; OR IN THE ALTERNATIVE DUE TO A PARALLEL STATE ACTION PENDING, AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT;**

3. **DECLARATION OF DAVINA BLOOM IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION; OR IN THE ALTERNATIVE, DUE TO A PARALLEL STATE ACTION PENDING;**

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4. [PROPOSED] ORDER GRANTING DEFENDANTS SURERIDE CHARTER, INC. DBA SUN DIEGO CHARTER CO., RICH ILLES, AND SCOTT MCLEOD'S MOTION TO DISMISS;

5. DEFENDANTS SURERIDE CHARTER, INC. DBA SUN DIEGO CHARTER CO., RICH ILLES, AND SCOTT MCLEOD'S REQUEST FOR JUDICIAL NOTICE FILED CONCURRENTLY AND IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION; OR IN THE ALTERNATIVE DUE TO A PARALLEL STATE ACTION PENDING; and

6. PROOF OF SERVICE

XX By U.S. Mail. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at 4520 Executive Drive, Suite 105, San Diego, California in the ordinary course of business. I am aware on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ By Overnight Delivery. I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses below. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

☐ By Messenger Service. I served the documents by placing them in a n envelope or package addressed to the persons at the addresses listed below and providing them to a professional messenger service for service.

☐ By fax transmission. Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.

☐ By e-mail or electronic transmission. Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful

☐ By Personal service. I personally delivered the documents to the persons listed below. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package clearly labeled to identify the attorney being served with a receptionist or an individual in charge of the office. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not less than 18 years of age between the ours of eight in the morning and six in the evening.

NOUR EDDINE ELASALI
P.O. Box 84764
San Diego, CA 92138

JOHN SWETS
1523 Wilson Avenue
National City, CA 91950

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. EXECUTED on June 3, 2008 at San Diego, California.

DAVID E. MICHAEL